

Schachar, cited by the Examiner, is concerned with a different configuration from that of the present invention. With the present invention, a terminal is physically connected at a given time, via a single communication line, with either the data communication network or the voice communication network. Hence, it is not logically possible to establish communications occurring simultaneously with both the data and voice communication networks.

With the configuration of Shachar, on the other hand, either the data communication network or the voice communication network is connected with terminals independently from the other. Hence physically and logically, it is possible for a terminal to access both the networks simultaneously (see Figure 1 and lines 6-43, column 8).

With Shachar, therefore, it is possible to perform both the voice communication and the second data communication at the same time. With lines 44-47 in column 8 of Shachar, mention is made to an example case in which for some reasons a terminal is logically unable to establish communications with the two networks

simultaneously. Shachar does not give any more detail on the operations under such conditions.

The Examiner states that Shachar describes downloading some data or accessing memory units for executing various tasks while continuing at the time with a communication. And further states that, therefore, Shachar should be considered to suggest a virtual data communication being established at the same time when a voice communication is in progress.

To the contrary, as Shachar does not expressly provide a description it should not be assumed that it is possible with their system to perform a data communication and a voice communication virtually.

For the sake of comparison, if it is assumed the system of the present invention to be working on the configuration of Shachar, the present invention would be continuing the first data communication of Shachar virtually and establishing both the voice and the data (the first data) communication virtually at the same time.

Shachar on the other hand, describes a case in which it performs both the voice communication and the second data communication at the same time when the first data communication having to be suspended. Here, what must be clearly noted is that if the first data communication, with the configuration of Shachar, could have been continued on virtually, it would not have been necessary to have the second data communication established to go simultaneously with the voice communication.

For these reasons, it is respectfully submitted that the present invention is distinguished over the reference and the rejection under 35 U.S.C. §102 for anticipation is inappropriate in this case.


An earnest effort has been made to be fully responsive to the Examiner's objections. In view of the above remarks, it is believed that the claims are in condition for allowance. Passage of this case to allowance is earnestly solicited.

However, if for any reason the Examiner should consider this application not to be in condition for allowance, he is respectfully requested to telephone the

undersigned attorney at the number listed below prior to  
issuing a further Action.

Any fee due with this paper, not fully covered by an  
enclosed check, may be charged on Deposit Acct. No. 08-  
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Respectfully submitted,

  
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